

**BOARD OF COMMISSIONERS
25 NORTH BROADWAY
PERU, INDIANA 46970
APRIL 14, 2008**

Chairman Hawley called the Miami County Board of Commissioners meeting to order.

SMOKING ORDINANCE

Mike Wilson told the Board he has not received the information concerning Illinois and Ohio State laws concerning non-smoking in public places and bars. Mr. Wilson gave the Board the most recent survey of laws across the country from the American Non Smokers Rights Foundation. Commissioner Hawley said the Board actually wants the entire Ordinance from both the States of Illinois and Ohio. Mr. Wilson was hoping to discuss our local Ordinance but the Board is not ready to address it. Commissioner Boyer feels a large slate of work today will not allow much discussion concerning the Smoking Ordinance. Commissioner Deeds stated he would like to wait to see the other State's Ordinances.

2-1-1 REQUESTS

Representative of the 2-1-1 Program told the Board they would like to propose an increase in the County's support to \$7,500 for the 2009 budget year. Currently the County is supporting this program in the amount of \$5,000. In the future State and Federal funding are expecting to become available. This is possibly 3 years out. The 2-1-1 of Miami County has signed a 3-year agreement with Kokomo as the hub and by the end of the agreement they are hoping the other funding will be available. This has cut down on non-emergency situations being handled by the police departments and the ambulances. Commissioner Boyer moved to support this program in the amount of \$7,500. The motion was 2nd by Commissioner Deeds and passed 3-0.

The Board encouraged the representative to go to the County Council with this proposal so they will understand when the Commissioners request in their budget for 2009.

United Way Director Debbie Miser thanked the Board for their support of the 2-1-1 program. United Way has been a great supporter of this program.

NATIONAL DAY OF PRAYER

Tammy Acree from the Peru Women's Aglow requested the use of the west Court House lawn on May 1, 2008 for a prayer service.

Commissioner Deeds moved to allow the Women's Aglow to use the Court House lawn for the National Day of Prayer service. The motion was 2nd by Commissioner Boyer and passed 3-0.

CLERK 4-D COLLECTION

Debbie Walker told the Board they are waiting to hear if County Attorney David Grund approved the contract presented by Maximus. The Board has not heard back on this issue. It will be held for one week.

MAXIMUS COST ALLOCATION CONTRACT

This is the usual contract the County has with Maximus. A motion was made by Commissioner Deeds to accept this contract for one year. The motion was 2nd by Commissioner Boyer and passed 3-0.

ESTATES AT EAGLES POINTE ISSUES

Mr. Mike Woloshuk told the Board he lives at the Estates and requests the Board reducing the speed limit to 20 mph on all the subdivision because children are present and there is speeding. His 2nd request is for more police presence. He would like a full time officer. Commissioner Boyer said the Board knows another officer would be useful but at this time we do not have enough funding to allow it. Commissioner Boyer also asked him to incorporate the area into a town. He asked if Bunker Hill responds to calls. Mr. Woloshuk told the Board that he belongs to the Association and Bunker Hill does respond but he is sure there is no way the incorporation will be done at this time. The third request is that the streets be swept in the subdivision. He said the sand from the winter has built up and is going to go into their storm drains if not picked up. Commissioner Hawley explained that the sweeper we have does not pick up the sand and the County Highway would need to rent a sweeper capable of doing that this spring. He will bring it up to the Highway Supervisor when he arrives. Mr. Woloshuk asked if the cost could be added to the tax bills of the residents. Commissioner Hawley said there is no provision in the law to allow that.

YMCA QUARTERLY REPORT

Dave Quick and Kathy Brehmer brought their report to the Board for March. Mr. Quick also brought the document to allow him to draw down funding from State and Federal funding to the Board for signing. A motion to sign the voucher was made by Commissioner Deeds. The motion was 2nd by Commissioner Boyer and passed 3-0.

JAIL PROJECT

David Grund brought the documents to the Board for signing. Commissioner Deeds moved to execute the Certificate of the Board of Commissioners and the County Auditor that all notices and advertisements have been put into place for the Jail Project. The motion was 2nd by Commissioner Boyer and passed 3-0.

Commissioner Deeds moved to sign the continuing Disclosure Agreement. The motion was 2nd by Commissioner Boyer and the motion passed 3-0.

IDEM NOTICE

The Board received a confined feeding notice for Darren Cordes from ACDC Farms LLC. The Board received an IDEM notice for Jamie Eckrote on a confined feeding operation.

CONSTRUCTION CONTROL

The Board received invoices from Construction Control for placing the work trailer on the job site of the new Miami County Jail. After some discussion concerning the taxes on the bill it was decided that Commissioner Hawley will call the company about the bill and if the bill should actually run through Construction Control.

MINUTES

Commissioner Deeds moved to approve the minutes. Commissioner Boyer 2nd the motion and it passed 3-0.

PAYROLL AND CLAIMS

A motion was made by Commissioner Boyer to approve and pay the payroll and claims. The motion was 2nd by Commissioner Deeds and passed 3-0.

ADDENDUM #1 to LEASE FROM HOLDING CORP. TO MIAMI COUNTY

A motion was made by Commissioner Deeds to sign the Addendum #1 to the Lease. The motion was 2nd by Commissioner Boyer and passed 3-0.

CERTIFICATE SAYING GOVERNMENT ENTITY IS TAX EXEMPT

A motion was made by Commissioner Deeds to sign the certificate of the County being a Governmental Entity and is tax exempt. The motion was 2nd by Commissioner Boyer and passed 3-0.

LAND SALE CERTIFICATE

A motion was made by Commissioner Deeds to sign the Land sell Certificate to the Holding Corporation for the Miami County Jail Project. The motion was 2nd by Commissioner Boyer and passed 3-0.

COUNTY ATTORNEY

Commissioner Hawley asked the County Attorney, David Grund, to let the Board know the amount he is requesting for the work he is doing on the Jail Project. The Board discussed a contract and whether it should be with the Board of Commissioners or the Holding Corporation. Commissioner Hawley will speak with Mr. Grund later to discuss these issues.

CCI CLAIM FOR MONTHLY COSTS

Commissioner Boyer moved to pay the claim. The motion was 2nd by Commissioner Deeds and passed 3-0.

CERTIFICATE OF INSURANCE

The Board received a certificate from Craig Smith & Associates.

MALONOWSKI CONSULTING

The Board received information from Mr. Malonowski. No action was taken.

OUTSTANDING COURT HOUSE WORK

The Board listed the following as expected projects and bills.

The Court House clocks

Renovation of the court Room

Renovation of the Law Library

The Board discussed the Court House budget money and the Cumulative Court House Fund. No actions were taken.

USI CONSULTANTS

The Board received a claim for bridge inspection reimbursements from USI Consultants. This is for 80% reimbursement return for the county. A motion to sign the Claim #7 for 80% reimbursement was made by Commissioner Deeds. The motion was 2nd by Commissioner Boyer and passed 3-0.

MIAMI CORRECTIONAL FACILITY

The Board received a notice that there is a new Superintendant at the prison. Mark Seiver has been given the position of Superintendent.

SHERIFF DEPARTMENT

Ken Roland brought his weekly report from the jail. He is having problems with the pump for the heating system and has an estimate of \$600 to fix it.

STANDARD AND POOR

The Board received their bill for the Bond rating from Standard and Poor. The bill is for \$14,000. A motion to pay the bill was made by Commissioner Deeds and 2nd by Commissioner Boyer. The motion passed 3-0.

HIGHWAY DEPARTMENT BIDS

The Board of Commissioners opened bids for the Highway Department. Sam Waltz asked that the Board accept all bids until he has an opportunity to review them. He asked the Board to look at the bids and not disqualify anyone based on the bids at this time.

The following companies presented bids.

1. Pierson Trucking Company
2. Bit Mat Products
3. Marathon Petroleum
4. E & B Paving Inc.
5. Gaunt & Son Asphalt Inc.
6. Phend & Brown
7. SemMaterials

Commissioner Deeds moved to take all bids under advisement and allow Mr. Waltz to review and bring back his recommendations to the Board. The motion was 2nd by Commissioner Boyer and passed 3-0.

COUNTY TRASH BIN NOTICE

Commissioner Boyer moved to send a notice to all employees in their pay checks concerning the disposal of their personal trash in the County bin. The motion was 2nd by Commissioner Deeds and passed 3-0. There have been complaints concerning this issue to the Board.

HIGHWAY DEPARTMENT

The Board was asked by Sam Waltz to support an amount from CEDIT for road materials. He stated that with the road conditions and the shortfall of funding they are getting further and further behind. Commissioner Boyer told Mr. Waltz about the street sweeping request at the Estates at Eagles Pointe.

Commissioner Boyer also stated that it has come to the point that they need a referendum to enact a wheel tax to cover the short fall in revenue for the Highway Department.

Mr. Waltz was given the name of Susan Zody to contact. She has a concern about her road.

BUSINESS 31 SOUTH

The Board discussed the issue of right of way acquisitions and the timely filing of them. It is noted that there is approximately \$300,000 in this project at this time. Commissioner Deeds moved to have the County Engineer contact the Engineer on the project and have the right of way issue prioritized and the cost before we proceed. Commissioner Boyer 2nd the motion and added that we are dead in our tracks at this point. The motion passed 3-0.

VERDIN CLOCKS

The Board received a claim for 50% of the project cost. A motion to approve the payment was made by Commission Deeds. The motion was 2nd by Commissioner Boyer and passed 3-0.

RECESS TO RECONVENE DRAINAGE BOARD

Commissioner Deeds moved to recess the Board of Commissioners meeting. The motion was 2nd by Commissioner Boyer and passed 3-0.

Commissioner Deeds moved to reconvene the Drainage Board for business. The motion was 2nd by Commissioner Boyer and passed 3-0.

Steve Mcauliffe brought a paper to encumber \$17,000 to the Board for approval. A motion to approve the encumbrance or transfer was made by Commissioner Hawley. The motion was 2nd by Commissioner Boyer and passed 3-0.

A motion to recess until 1:30 was made by Commissioner Deeds. The motion was 2nd by Commissioner Deeds and passed 3-0.

Reconvened

Commission Hawley reconvened the Commissioner meeting.

Mr. and Mrs. Mills brought a complaint to the Board about the noise of the Animal Control Officer's personal dogs. Mr. Mills told the Board that he is not complaining about Mr. Tigler's job as Animal Control. He feels he is doing a good job. He is just tired of the sleepless nights from the dogs barking. Mr. Mills said his property value would be down due to the barking dogs. Mr. Mills said he is trying to find out how this system works. Is the Animal Control Board in charge or the Board of Commissioner's? Commissioner Hawley explained the establishment of the Animal Control Board and their function and the responsibility of the Board of the Commissioners in this matter. Commissioner Hawley said that the Board is anticipating once the new jail is built they would look at moving the pound to the site. That is 18 months out and he knows it is not a quick fix, but that is one of the things they are looking into the future with. Commissioner Hawley also told of his personal experience with a neighbor's dogs where he lives. He said he understands the irritation and sympathizes with Mr. Mills. Commissioner Deeds asked if there is any problem with the smell from the incinerator since they purchased a new one. Mr. Mills said he has no complaints concerning the Animal Control operations. It is the noise from the Officer's personal dogs. Mrs. Mills showed the Board pictures of the dog pens and the out buildings housed by pheasants owned by Mr. Tigler. The suggestion by Mr. Mills is to move the dogs to the other side of Mr. Tigler's barn.

Mr. Tigler was asked by the Board to speak. He asked if Mrs. Mills takes pictures of all their neighbors or is she just stalking him. Commissioner Deeds told Mr. Tigler the Board would just like to find some common area between these neighbors that they could both deal with. He asked Mr. Tigler if he has a shock collar. Mr. Mills asked if it caused any permanent damage to an animal that hunts like his dogs do. Mr. Tigler said it does not cause permanent damage and he will try a shock collar; but told Mr. Mills that the last time they were barking it was because there was a coyote close to their livestock. Mr. Mills thanked Mr. Tigler for trying the shock collar and said they were good neighbors before and is sorry it has come to this.

Commissioner Deeds moved to adjourn. The motion was 2nd by Commissioner Boyer and passed 3-0.

Adjourned

THE MIAMI COUNTY BOARD OF COMMISSIONERS

_____, CHAIRMAN
GARY D. HAWLEY

_____, VICE CHAIRMAN
GREGORY DEEDS

_____, MEMBER
C. CRAIG BOYER

ATTEST: _____, Auditor
Brenda Weaver